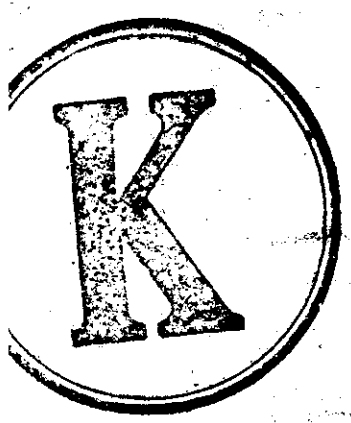

1949.

Requisitioned Land (C of P.) II/49 (N)

File No. Legal Deptt.

B BRANCH

Subject:— Notifications under the Requisitioned Lanel (continuance of powers) Act 1947

E
P-b
1949

Requisitioned Land (C of P.) II/49 (N)

File No.

Gen. 194 e.

233-B

Legal Department.

A revised draft notification is sent herewith.

Sd/- J.R.Dunnahar

1-3

O.S. Additional Secretary to Government.

O.F. to T.I.No. 2386, dated 1st March 1943.

J.A.J.
7-6
11 copies

NOTIFICATION.

Revenue Department,
Bombay Castle. 1949.

Requisitioned Land (Continuance of Powers) Act, 1947.

No. 3753/49.- In exercise of the powers vested in the Central Govt. under clause (a) of sub-section (1) of section 19 of the Defence of India Act, 1939 (XXIV of 1939), entrusted to the Provincial Governments by the Government of India, Defence Department's Notification No. R/909-GH/42, dated 19th September 1942, read with section 6 of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947), the Government of Bombay is pleased to appoint the Civil Judge (Senior Division), Nasik Division, Nasik, as arbitrator to determine the amount of compensation payable in respect of the property specified in the Schedule hereto appended and requisitioned by the Collector of Nasik under his order No. L.R.D. 526-VI, dated the 15th June 1949 made under sub-rule (1) of rule 75A of the Defence of India Rules specified in the said Schedule.

SCHEDULE

Description of the property.
Corrugation Hotel Building, Nos. 14,15,16 and 17 on Law Road Deolali, Nasik District.

By order of the Governor of Bombay,

Secretary to Government.

S.A.E
7-6
4 copies

Legal Department.

Two revised forms are sent herewith.

2. Form No. I may be used when the lands are acquired by the Collector on behalf of the Central Government in virtue of the powers delegated to him under Government of India, War Department, (Army Branch), No. 8610-W, dated the 15th September 1946.

3. Form No. II may be used when lands are acquired by the Collector on behalf of the Provincial Government in virtue of the powers delegated to him under Government notification, Revenue Department, No. 2193/46, dated the 23rd October 1946.

Sd/-J.R.Thakerdar,
23-2

for Additional Secretary to Government

Copy to R.D.I.S. 1210, dated the 23rd February 1949.

Sent
7-6
4 copies

(To be used when a lands or premises are to be acquired on behalf of the Central Government).

NOTICE.

No. :- Whereas the Collector of has in exercise of the powers conferred by sub-rule (1) of rule 75-A of the Defence of India Rules read with the Government of India, Defence Co-ordination Department No. 1336/OR/1/42, dated the 25th April 1942 requisitioned the lands specified in the Schedule appended under this order No. dated

And whereas the said lands are requisitioned land within the meaning of section 2(b) of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947), and continue to be subject to requisition under section 3 of the said Act;

And Whereas buildings and structures have during the period of requisition been construced on, in or over the said land at the expense of the Central Government;

*And Whereas the Central Government have decided that the value of, or the right to use, such buildings and structures should be preserved or secured for the purposes of the Central Government;

OR

*And Whereas the cost of restoring the land to its condition at the time of its requisition would in the opinion of the Central Government, be excessive having regard to the value of the land at the time and the owner declines to accept the release from requisition of the land without payment of compensation from Government;

Now, therefore, in exercise of the powers conferred by section 5 of the said Act read with the Government of India, War Department (Army Branch) Notification, No. 2451-A dated the 28th September 1946 notice is hereby given that the Central Government have decided to acquire the said lands described in

the Schedule annexed hereto in pursuance of the said section and it is hereby declared that in pursuance of sub-section (2) of section 5 of the said Act the said lands shall on and from the beginning of the day on which this notice is published in the Official Gazette vest absolutely in the Central Government free from all incumbrances and the period of requisition of such lands shall end.

SCHEDULE.

(Here specify the particulars of the land and premises).

Dated c 1049 Collector of

S.A.K.
8-6
4 copies

(To be used when lan-ds or premises are to be
sequire on behalf of the Provincial Government).

NOTICE.

No. 1- Whereas the Collector of
has in exercise of the powers conferred by sub-rule
(1) of Rule 75-A of the Defence of India Rules read
with Government of Bombay , Home Department (Pell. War)
No. S.D.W. 1741. dated the 29th May 1942. requisitioned
the land and premises specified in the Schedule appended under
His Order No. dated

And Whereas the said lands are requisitioned land
within the meaning of section 2(4) of the Requisitioned
Land (Continuance of Powers) Act. 1947. (XVII of 1947)
and continue to be subject to requisitioned under section
3 of the said Act;

And Whereas buildings and structures have during
the period of requisition been constructed on, in or
over the said land at the expense of the Provincial
Government;

*And Whereas the Provincial Government have
decided that the value of, or the right to use, such
buildings and structures should be preserved or
secured for the purpose of the Provincial Government

or

*And Whereas the cost of restoring the la- land to
its condition at the time of its requisition would in
the opinion of the Provincial Government, be exce-ssive
having regard to the value of the land at the time and
the owner declines, to accept the release from
requisition of the land without payment of compensation
from Government.

Now, therefore, in exercise of the powers conferred
by section 5 of the said Act, read with the Government
of Bombay Revenue Department, Notification No.
2198/45, dated the 23rd October 1946, notice is hereby

S.A.K.
5-6
4 copies

given that the Provincial Government have decided
e to acquire the said lands described in the Schedule
annexed hereto in pursuance of the said section and it
is hereby declared that the pursuance of sub-section
(2) of section 5 of the said Act the said lands shall
on the from the beginning of the day on which this notice
is published in the Official Gazette vest absolutely in
the Provincial Government free from all incumbrances
and the period of requisition of such lands shall end.

SCHYDULE.

(Here specify the particulars of the land).

Dated 1949. Collector of

S.A.K.
8-6
4 copies

Legal Department.

The Collector of Poona, has acquired the lands on behalf of the Central Government by virtue of the powers delegated to him by the Government of India, War Department Notification No. 2451-A , dated the 29th September 1946. But the Collector in his notice No. Mil / 672, dated the 12th February 1947, has not referred specifically to the Government of India, War Department, Notification No. 2451-A, dated the 28th September 1946, under which the powers of the Central Government have been delegated to him. In the second notice No. Mil/672-II, dated the 30th August 1947, the Collector has referred to the Provincial Government Notification itself. The Collector republishing the Central Government Notification instead of to the Central Government Notification itself. The Collector of Poona may therefore be requested to amend his first notice No. MIL / 672, dated 12th February 1947 by substituting for the words "Government Notification" the words and figures "the Government of India, War Department (Army Branch) Notification No. 2451-A, dated 28th September 1946". He should also be requested to amend his notice No. MIL / 672-II, dated the 30th August 1947, by substituting for the words and figures "Government Notification No. 2198/45, dated 23rd October 1946" the words and figures""the Government of India, War Department (Army Branch)Notification No. 2451-A, dated the 28th September 1946".

The draft notification at page 9 ante, as amended, is inorder.

C.C. SD /- J.R.Dharandhar.
24-3

Additional Secretary to Government.

U.R. to R.D., No. 2966, dated the 16th March, 1949.

S.A.K./ 8-6 / 4 copies